

## UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Angel Josue TURCIOS HERRERA

Case No. Case: 2:23-mj-30464

Assigned To : Unassigned

Assign. Date : 11/21/2023

USA V. TURCIOS HERRERA (CMP)(CMC)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 8, 2023 in the county of Oakland in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 8, United States Code, Section 1326(a)

Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about November 8, 2023, in the Eastern District of Michigan, Southern Division, Angel Josue TURCIOS HERRERA, an alien from Honduras was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about January 17, 2020 at or near Alexandria, Louisiana and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: November 21, 2023City and state: Detroit, MI

*Complainant's signature*

Monica Alaez, Deportation Officer

*Printed name and title*

*Judge's signature*

Kimberly Altman, United States Magistrate Judge

*Printed name and title*

AFFIDAVIT

I, Monica Alaez, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since March 2009. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed the immigration records and system automated data relating to Angel Josue TURCIOS HERRERA, which reveal the following:
2. Angel Josue TURCIOS HERRERA is a thirty-one-year-old citizen and native of Honduras who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security. This affidavit is submitted for the limited purpose of establishing probable cause of Unlawful Reentry to the United States, a violation of 8 U.S.C. § 1326(a).
3. On or about July 30, 2008, the United States Border Patrol arrested TURCIOS HERRERA at or near Rio Grande City, Texas and issued him a Notice to Appear. On September 8, 2008, the Immigration Judge in Harlingen, Texas ordered TURCIOS HERRERA removed from the United States to Honduras. On October 1, 2008, ICE ERO removed TURCIOS HERRERA to Honduras from the United States via JPATs flight from Houston, Texas.
4. On or about December 18, 2019, the West Bloomfield, MI Police Department arrested TURCIOS HERRERA for operating while intoxicated. The record indicates that he had a blood alcohol content of greater than .17, double the legal limit.
5. On or about December 18, 2019, ICE ERO Detroit arrested TURCIOS HERRERA and served him with a Notice of Intent / Decision to Reinstate Prior Order. On or about January 17, 2020, ICE ERO removed TURCIOS

HERRERA from the United States to Honduras via the JPATS flight from Alexandria, Louisiana.

6. On or about May 19, 2021, the United States Border Patrol, at or near Eagle Pass, Texas apprehended TURCIOS HERRERA and returned him Mexico the same day under Title 42 authority.
7. On or about May 23, 2021, the United States Border Patrol, at or near Eagle Pass, Texas apprehended TURCIOS HERRERA and returned him Mexico the same day under Title 42 authority.
8. On or about June 11, 2021, the United States Border Patrol, at or near Eagle Pass, Texas apprehended TURCIOS HERRERA and returned him Mexico the same day under Title 42 authority.
9. On or about November 8, 2023, the Waterford Police Department, in Michigan stopped TURCIOS HERRERA for no license. Waterford Police Officers discovered that TURCIOS HERRERA had a warrant for failure to appear from his 2019 OWI arrest in West Bloomfield, MI. The officers apprehended TURCIOS HERRERA on the warrant.
10. On or about November 8, 2023, ICE ERO placed a detainer on TURCIOS HERRERA at the West Bloomfield Police Department. On or about November 13, 2023, ICE ERO Detroit transported TURCIOS HERRERA from the Jackson County Jail to the Detroit ICE Field Office and served him with a Notice of Intent /Decision to Reinstate prior order. ICE searched his fingerprints in government electronic systems resulting in a positive match for Angel Josue TURCIOS HERRERA, DOB XX/XX/1992, AXXX XXX 380, a previously removed alien.
11. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or


regulation regulating the admission, exclusion, expulsion, or removal of aliens.

12. ICE officers reviewed immigration file records and Department of Homeland Security electronic records, indicating that Angel Josue TURCIOS HERRERA AXXX XXX 380, did not obtain the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States.

13. Based on the above information, I believe there is probable cause to conclude that Angel Josue TURCIOS HERRERA, is an alien who was found in or reentered the United States after deportation or removal, without the express permission from the Attorney General of the United States or from the Secretary of the Department of Homeland Security in violation of Title 8, United States Code, Section 1326(a).

  
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Monica Alaez, Deportation Officer  
Immigration and Customs Enforcement

Sworn to before me and signed in my  
presence and/or by reliable electronic means.

  
\_\_\_\_\_  
Honorable Kimberly Altman  
United States Magistrate Judge

Dated: November 21, 2023